

Notice of Allowability

Application No.

10/799,370

Applicant(s)

HOSHINA, MASAKI

Examiner

Daniel I. Walsh

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6-22-06.
2. ☒ The allowed claim(s) is/are 1-9, 11-13 and 15-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>9-26-06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. Receipt is acknowledged of the Amendment received on 6-22-06.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Troy Schmelzer on 9-26-06.

The application has been amended as follows:

Re claim 1, line 15: Replace "data communication system comprising:" with – data communication system, the data communication system further comprising:"

Re claim 1, last line: Replace "other data communication systems." with – other data communication systems, and not acquired from the data communication system being used to compute position information of the contactless tag --.

Re claim 11, last line: Replace "other data communication systems." with – other data communication systems, and not acquired from the data communication system being used to compute position information of the contactless tag --.

Re claim 15, last line: Replace “other data communication systems.” with – other data communication systems, and not acquired from the data communication system being used to compute position information of the contactless tag --.

Re claim 18 line 15: Replace “data communication system comprising.” with – data communication system, the data communication system further comprising.”

Re claim 18, last line: Replace “other data communication systems.” with – other data communication systems, and not acquired from the data communication system being used to compute position information of the contactless tag --.

Re claims 15-17, line 1: Replace “A program for” with – A computer readable medium having a program --.

Allowable Subject Matter

3. Claims 1-9, 11-13, and 15-20 are allowed.

4. The following is an examiner’s statement of reasons for allowance: The prior art of record fails to teach, a contactless data communication system comprising a data communication system having inherent data communication system information and an information acquisition means to acquire the data communication system information inherent to the other data communication systems and the tag identification information acquired in the other data communication systems from the other data communication systems and a position information computation means to compute position information of the contactless identification tag based on the data communication system information and the tag identification information acquired from the other data communication systems, and not acquired from the data communication system

being used to compute position information of the contactless tag (re claim 1), a data communication system comprising an information acquisition means to acquire the data communication system information inherent to the other data communication systems and the tag identification information acquired in the other data communication systems from the other data communication systems; and a position information computation means to compute position information of the contactless identification tag based on the data communication system information and the tag identification information acquired from the other data communication systems, and not acquired from the data communication system being used to compute position information of the contactless tag (re claim 11), a computer readable medium having a program controlling a data communication system comprising an information acquisition step to acquire the data communication information inherent to the other data communication systems and the tag identification information acquired in the other data communication systems from the other data communication systems and a position information computation step to compute position information of the contactless identification tag based on the data communication system information and the tag information acquired from other data communication systems, and not acquired from the data communication system being used to compute position information of the contactless tag (re claim 15), and a contactless data communication system comprising a data communication system comprising inherent data communication system information and a position information computation device to compute position information of the contactless identification tag based on the data communication system information and the tag identification information acquired from the other data communication systems, and not acquired from the data

communication system being used to compute position information of the contactless tag (re claim 18).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see attached PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel I. Walsh whose telephone number is (571) 272-2409. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel I Walsh
Examiner
Art Unit 2876
9-26-06



DANIEL WALSH
PRIMARY EXAMINER